

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Examiner: To be assigned

November 27, 2006

James P. Zeller

Please charge our Deposit Account No. 12-2855 in the amount of \$130.00 to cover the late filing fee of the Declaration and Power of Attorney and in the amount of \$40.00 to cover the Assignment recording fee.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-2855.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP

November 27, 2006

By: 

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UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.

10/564,304

FIRST NAMED APPLICANT

Josef EHRA T

ATTY. DOCKET NO.

30882/DP034

INTERNATIONAL APPLICATION NO.

PCT/DE04/01163

I.A. FILING DATE

06/07/2004

PRIORITY DATE

07/10/2003

04743

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RECEIVED

OCT 02 2006

CONFIRMATION NO. 8955

371 FORMALITIES LETTER



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Date Mailed: 09/26/2006

MARSHALL GERSTEIN

Docketed: 11/24/06

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/10/2006
- English Translation of the IA filed on 01/10/2006
- Copy of the International Search Report filed on 01/10/2006
- Preliminary Amendments filed on 01/10/2006
- Information Disclosure Statements filed on 01/10/2006
- U.S. Basic National Fees filed on 01/10/2006
- Priority Documents filed on 01/10/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

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PART 1 - ATTORNEY/APPLICANT COPY

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10/564,304	PCT/DE04/01163	30882/DP034

FORM PCT/DO/EO/905 (371 Formalities Notice)